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General Assembly
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57th plenary meeting
Wednesday, 26 November 1997, 3 p.m.
New York

President: Mr. Udovenko . . . . . (Ukraine)

In the absence of the President, Mr. Mwamba Kapanga (Democratic Republic of the Congo), Vice-President, took the Chair.

The meeting was called to order at 3.10 p.m.

Agenda item 39 (*continued*)

Oceans and the law of the sea

(a) Law of the sea

Reports of the Secretary-General (A/52/487, A/52/491)

Note by the Secretary-General (A/52/260)

Draft resolutions (A/52/L.26, A/52/L.27)

(b) Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

Report of the Secretary-General (A/52/555)

Draft resolution (A/52/L.29)

(c) Large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and fisheries by-catch and discards

Report of the Secretary-General (A/52/557)

Draft resolution (A/52/L.30)

Miss Durrant (Jamaica): I have the honour, on behalf of States members of the Caribbean Community (CARICOM) — Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago and my own country, Jamaica — to speak on agenda item 39, "Oceans and the law of the sea".

The States members of the Caribbean Community all have strong maritime traditions and a natural interest in matters relating to the law of the sea and ocean affairs. We participated actively in the processes leading up to the adoption of the United Nations Convention on the Law of the Sea and to the establishment of important organs including the International Seabed Authority, the International Tribunal on the Law of the Sea and the Commission on the Limits of the Continental Shelf. We are pleased that these organs are now fully operational and have commenced their work, and we will continue to give full support to their activities and to the attainment of the objectives of the Convention.

States members of CARICOM thank the Secretary-General for the comprehensive reports contained in documents A/52/260, A/52/487, A/52/491, A/52/555 and A/52/557, and we wish to express appreciation to the Legal Counsel and to the staff of the Division for Ocean

97-86599 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

Affairs and the Law of the Sea for their work and for the assistance they have given to delegations.

We are very pleased that the International Seabed Authority has made good progress in its work. The drafting of a mining code is at an advanced stage and should be completed by the next session of the Assembly of the Authority in Kingston, Jamaica. A historic point was reached at the August 1997 session of the International Seabed Authority when the Authority approved the plans of work submitted by seven pioneer investors. We pay tribute to the first President of the Authority's Assembly, Ambassador Djalal of Indonesia, and to the first President of the Authority's Council, Mr. Lennox Ballah of Trinidad and Tobago, for the able manner in which they led the pioneering work of these important bodies of the Authority. We also commend the Secretary-General of the Authority, Mr. Nandan, for the direction and leadership that he continues to give to the secretariat of the Authority as it approaches the challenging tasks before it.

Caribbean Community delegations welcome the conclusion of a relationship agreement between the secretariat of the International Seabed Authority and the United Nations. The agreement is before the General Assembly as an annex to draft resolution A/52/L.27, and we invite delegations to give full support to that draft resolution.

The Authority has also requested membership in the United Nations Joint Staff Pension Fund, and we also urge the Assembly to support fully this proposal when it comes up for consideration.

Delegations of the Caribbean Community note with satisfaction that the international Tribunal for the Law of the Sea, under the presidency of His Excellency Mr. Thomas Mensah, has commenced its work in a practical way, and now has before it a matter for determination.

Our delegations recognize that certain law of the sea issues and issues of the environment and sustainable development are interrelated. We recognize especially the important and related efforts in the context of the United Nations Environment Programme, Agenda 21 and the Barbados Programme of Action for the Sustainable Development of Small Island Developing States, to which our delegations attach great importance. We are particularly concerned about the pollution of the marine environment and welcome the attention paid to this issue in draft resolution A/52/L.26.

The 29 countries that border the wider Caribbean region depend upon the health of the coastal zone for food, recreation and livelihood. We have taken steps to guard against pollution in one of the world's most popular bodies of water and in its sensitive marine ecosystems.

Through the Caribbean Environment Programme, the parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region have focused on the development of activities related to the development of the Protocol on Land-based Sources of Marine Pollution Protocol, the Global Plan of Action and the Protocol concerning Specially Protected Areas and Wildlife, and of activities on the conservation of coastal ecosystems, with its linkages to the private and tourism sectors.

We recognize the advances made in dealing with living marine resources, notably provisions relating to straddling fish stocks and highly migratory fish stocks. Our delegations strongly support ongoing efforts to ensure that these resources are exploited in an appropriate manner, with due regard to the rights of all States under the Convention and related agreements.

With the establishment of the principal organs of the Convention, which cover vital areas of global concern in accordance with the provisions of the Convention, the debate in the General Assembly on the law of the sea provides an important vehicle for ensuring that all elements of the Convention and activities thereunder are addressed in a coherent manner. The functions of the International Tribunal on the Law of the Sea in the area of the interpretation of the Convention and the adjudication of disputes thereunder, the duties of the international Seabed Authority in matters affecting the deep seabed and areas beyond national jurisdiction and the work of the Commission on the Limits of the Continental Shelf represent new and important dimensions in the implementation of the Convention. These are principal mechanisms for carrying out the objectives of the Convention. These bodies provide for the comprehensive handling of law of the sea issues in a complementary way within their respective areas of competence, thus avoiding unnecessary duplication and ensuring cost-effectiveness.

Our delegations also believe that the debate in the General Assembly can serve the useful purpose of assisting States parties, particularly developing countries, in conforming with their obligations and in maximizing

the benefits which can arise from the implementation of the Convention.

Delegations of the Caribbean Community welcome the ongoing dialogue in relevant forums on the transfer by sea of hazardous wastes and nuclear fuel. These are issues of concern to all island States and to all coastal States which occupy sensitive and ecologically vulnerable maritime spaces. We expect the relevant bodies, particularly the International Maritime Organization and the International Atomic Energy Agency, to give due consideration to the concerns of States through whose waters these potentially dangerous items are transported.

As we prepare for the celebration in 1998 of the International Year of the Ocean, CARICOM delegations urge States that have not yet done so to become parties to the Convention and the Agreement, so that we may achieve the goal of universal participation as we seek to preserve the common heritage of mankind.

Mr. Yel'chenko (Ukraine): The date 10 December 1997 marks the fifteenth anniversary of the signing of the United Nations Convention on the Law of the Sea. I had the honour to be a member of the Ukrainian delegation at the signing ceremony at Montego Bay, Jamaica, on that wonderful sunny day. No one who was present will ever forget the exciting atmosphere of accomplishment, hope and exhilaration.

The Convention is indisputably one of the major achievements of the United Nations. It is an outstanding multilateral instrument that holds great promise for the maintenance of peace, an equitable basis for sharing the resources of the world's oceans and a means of securing economic and social progress for all the peoples of the Earth.

The Convention is also an important means for promoting the economic and social development of all States. By dealing with such diverse and complex subjects as navigation or overflight, fishing and exploitation of marine mineral resources, conservation and prevention of pollution, it provides a framework for joint action on the path to development.

Several delegations have already emphasized that at the present session the item on the law of the sea has been expanded to include all ocean issues. The wider mandate is evidence of the importance Member States attach to the presentation of a global overview of these issues to the Assembly. Indeed, the General Assembly is the only global institution with the competence to conduct such a comprehensive annual review.

Document A/52/487 contains the report on oceans and the law of the sea prepared by the Secretary-General, who has been assigned a special responsibility in these matters by the Convention. The annual report gives us an excellent opportunity to concentrate our attention on and discuss all issues relating to the oceans in a holistic manner.

The oversight role of the General Assembly is expected to assume yet greater significance with universal acceptance of the Convention and to be further consolidated by the addition of the new law of the sea institutions to the wider group of international organizations responsible for various specialized aspects of ocean affairs.

It gives us pleasure to note the progress of the work of the International Seabed Authority. Last year it completed its initial organizational phase, and this year it commenced its functional phase. The most significant development during 1997 was the approval of plans of work for exploration of seven registered pioneer investors.

With the election of the Commission on the Limits of the Continental Shelf, the creation of three institutions mandated by the Convention is now complete.

There are three important issues on which the Commission requires advice from the Meeting of States Parties to the Convention. The first is how the Commission should handle a submission by a coastal State which may involve a delimitation dispute. Another is the issue of confidentiality and the protection of members of the Commission from possible financial liability arising from potential allegations of a breach of the rules of confidentiality. The delegation of Ukraine is of the view that the members of the Commission should be considered to be experts on mission for the United Nations under article VI of the Convention on the Privileges and Immunities of the United Nations. The third issue is whether the terms "coastal State" and "State", used in article 4 of annex II to the Law of the Sea Convention, include a non-State-party to the Convention. We hope that at their next Meeting the States parties will be able to consider and decide on these important issues.

In this connection, I would like to thank Ambassador Helmut Tuerk of Austria, who, in his capacity as President of the seventh Meeting of the States Parties, briefed the General Assembly on the progress of work at the Meeting and also referred to the items to be considered at the next Meeting. It is quite obvious that the bridge between the General Assembly and the Meeting was long overdue, and we are pleased that it has finally been established.

The Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs (DOALOS), by virtue of the special responsibilities of the Secretary-General under the Convention and the oversight role of the General Assembly, is required to review and monitor all developments relating to the law of the sea and ocean affairs. The Convention provides for Meetings of States Parties to be convened by the Secretary-General. The Meeting has come to be regarded as an important component of the new system of ocean institutions, particularly in giving advice with regard to the interpretation of provisions of the Convention. We welcome this development.

While the Authority, the Tribunal and the Commission will all deal with specific aspects of ocean affairs and the law of the sea, the central programme on oceans at the United Nations concentrates on matters related to the overall implementation of the Convention. It focuses on the monitoring of State and regional practices and provides information, advice and assistance on the uniform and consistent application of the Convention in many fields of interest and concern for States and for international organizations. We share the views on these matters contained in the annual report of the Secretary-General.

For many years the General Assembly has repeatedly expressed its appreciation for the necessary and important tasks performed by the staff of the Division for Ocean Affairs and the Law of the Sea. In this connection, we cannot comprehend why the Office of Legal Affairs has reduced the number of Professional posts in the Division from 23 to 17 — a reduction of 26 per cent — and the General Service staff from 13 to 10 — a reduction of 23 per cent — when reductions on a similar scale were not proposed in other units of the Legal Office.

Although it is understandable that the financial situation of the Organization and the commitment of the Secretary-General to a reduction of 1,000 posts have forced a cutback of personnel, the question arises whether such a marked reduction in the Division's staffing is justified. To illustrate one of the reasons for our concern, we would like to draw attention to a previous report [A/CONF.62/L.65] of the Secretary-General, prepared back in 1981, entitled "Potential financial implications for States parties to the future convention on the law of the sea". Paragraph 48 stated in reference to the Commission on the Limits of the Continental Shelf, currently serviced by the Secretary-General:

> "To provide the necessary support services to the Commission, a secretariat comprising the following staff may be needed: 1 principal officer, 5 Professional and 6 General Service staff members."

That was in reference only — I emphasize "only" — to the secretariat servicing of the Commission, and not to any other functions of the unit, which eventually became the Division for Ocean Affairs and the Law of the Sea. It could be argued that the Commission was only recently elected and that there are still no submissions under consideration. I remind representatives that until last month there were also no cases before the International Tribunal for the Law of the Sea. The question arises whether at its current reduced staffing level the important functions of the Commission will be sufficiently supported when submissions begin to arrive? Will the Division's current staffing level allow all its other important functions to be properly executed?

I would like, through you, Mr. President, to ask the Fifth Committee to consider again the issue of the proper staffing level of the Division for Ocean Affairs and the Law of the Sea, and I call upon all delegations to support this action.

At the present session we are also considering developments in the field of the conservation and management of living marine resources. As always, we find the relevant reports very useful. They will serve us as effective tools in conducting any advanced research on these subjects.

The issues of fisheries and navigation are extremely important to Ukraine. In managing its long-distance fisheries, Ukraine cooperates with the coastal States on issues of conservation and the rational utilization of living resources. The protection of the marine environment and effective and balanced conservation remain priorities for Ukraine.

In Ukraine, the National Programme for the Development of Sea and River Transportation is about to

be adopted. One of its goals is to improve national standards for the safety of navigation. Ukraine is in the process of certifying training centres, and intends to submit to the International Maritime Organization all relevant information regarding the new national system of training and certification of sailors.

The National System for the Registration of Vessels, currently at the drafting stage, is designed to define the obligations of owners of ships flying the Ukrainian flag. Ukraine is in the process of issuing national certificates to shipping companies as well as to vessels. It intends to become a full-fledged participant in the unified system of European internal transportation waterways. Ukraine has signed 13 bilateral treaties on trade navigation and 6 intergovernmental agreements on fisheries.

Ukraine is engaged in active cooperation with regional fisheries organizations and bodies dealing with the conservation of marine living resources. We are interested in developing cooperation with the North-East Atlantic Fisheries Commission and the North-West Atlantic Fisheries Organization.

Ukraine is working on a solution to the problem of unregulated fisheries in the River Danube. We consider vital the restoration of the activities of the Commission which was established on the basis of the 1958 Convention Concerning Fishing in the Waters of the Danube.

It gives me pleasure to convey to this forum that there are very positive developments in the Black Sea region. This year Ukraine took practical measures for the stabilization of the political situation in the area and for the improvement of bilateral cooperation in the field of international security, including maritime affairs, with two of its neighbouring countries, the Russian Federation and Romania.

The Prime Ministers of the Russian Federation and Ukraine signed three agreements on 28 May 1997 in Kiev regarding the Black Sea fleet. The information on these agreements is contained in paragraphs 370 to 373 of the report of the Secretary-General, document A/52/487. The conclusion of the agreements resolved the problem of ownership of the former Soviet Black Sea fleet. These and other agreements made it possible for the Presidents of the two countries to sign a comprehensive Treaty on Friendship, Cooperation and Partnership, which also refers to cooperation in the Black Sea region. Under the agreements, Russia will lease from Ukraine several Crimean bays, as well as other facilities in the Crimea for a 20-year period.

Following the signing of the Treaty on Neighbourly Relations and Cooperation by the Presidents of Ukraine and Romania on 2 June 1997 in Constanta, Romania, the Ministers of Foreign Affairs of the two countries, by an exchange of letters, concluded an Agreement defining the principles and procedures for the conclusion of a separate Treaty on the Regime of the State Frontier between the two countries. Under the Agreement, the Governments of Ukraine and Romania will negotiate another instrument: the Agreement on Strengthening of Confidence and Security in the Zones Adjacent to the Common State Frontier. Within the framework of this Agreement, the Government of Ukraine will undertake not to deploy offensive armaments on Serpent Island, which, according to the Agreement of 2 June 1997, belongs to Ukraine.

Ukraine and Romania will also conduct negotiations to conclude an Agreement on the Delimitation of the Continental Shelf and the Exclusive Economic Zones of both countries in the Black Sea, on the basis of the principles and procedures contained in, *inter alia*, article 121 of the United Nations Convention on the Law of the Sea. The States parties will abstain from the exploitation of any mineral resources in the zone within which the delimitation will be made until a decision on delimitation has been reached.

If the Agreement on Delimitation is not concluded within two years from the beginning of negotiations, the Governments of Ukraine and Romania agree that the matter of the delimitation of the continental shelf and the exclusive economic zones shall be submitted to the International Court of Justice on the request of either State party, provided that by that time the Treaty on the Regime of the State Frontier between Romania and Ukraine has already entered into force.

Ukraine has the honour of co-sponsoring the draft resolution contained in document A/52/L.26, so ably introduced by the representative of New Zealand. Ukraine is also co-sponsoring the draft resolution [A/52/L.29] on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

Mr. Šimonović (Croatia): I have the honour to take the floor on an agenda item of marked importance to my

country. As a country with long traditions and a special interest in maritime activities, Croatia has since its independence joined the effort of United Nations Member States in promoting the law of the sea.

The delegation of the Republic of Croatia thanks the Secretary-General for his comprehensive report on this agenda item. It enables the Member States and the General Assembly to review all the relevant developments relating to ocean affairs and the law of the sea.

After the major achievements of the United Nations in the codification and progressive development of the law of the sea, constant review and evaluation of the implementation of the United Nations Convention on the Law of the Sea is the most important contribution of the Organization to the international legal order of the oceans at present.

In achieving all the goals of the United Nations in the field, the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat has always acted with outstanding expertise and devotion.

After the entry into force of the Convention on the Law of the Sea, the United Nations helped in the establishment of the institutions provided for in the Convention: the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf. Delegates from Croatia have participated in the work of the Authority since the inaugural session in November 1994. Furthermore, Croatian experts have become members of the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf. The delegation of Croatia renews its expressions of gratitude to the States parties to the Convention for having supported those experts.

All of the three institutions which I have mentioned are now engaged in establishing their organs, elaborating the rules of procedure and defining their relations with the United Nations and other international organizations. Taking into account the innovative character and the specific features of their tasks, we can be satisfied with the pace of their progress. Thus, for example, we can be satisfied that the International Tribunal for the Law of the Sea has already adopted the Rules of the Tribunal, the guidelines concerning the preparation and presentation of cases before the Tribunal, and the resolution on internal judicial practice. Moreover, our delegation acknowledges with satisfaction that the United Nations and the Tribunal have finalized the Draft Agreement on Cooperation and Relationships between the United Nations and the International Tribunal for the Law of the Sea. The Agreement should be signed shortly by the Secretary-General and the President of the Tribunal.

When all these institutions complete their preparatory work, it is up to us — the States parties — to make the best use of these institutions conceived at the Third United Nations Conference on the Law of the Sea as the institutional framework for the international legal order of the oceans. As far as the International Tribunal for the Law of the Sea is concerned, two States parties to the Convention on the Law of the Sea have already agreed to come to the Tribunal in accordance with the special procedure for the prompt release of vessels.

Concluding these brief remarks, I would like to point out the view of my delegation that in our activities relative to the exploration, protection and exploitation of ocean space, we should pay more attention to the benefit of mankind as a whole, and particularly to the progress of the least developed countries and the protection of the most endangered parts of our planet, than to short-term cost-effectiveness.

Mr. Gao Feng (China) (*interpretation from Chinese*): At the outset, please allow me to express my appreciation for the remarkable results achieved at the United Nations Conference on the Law of the Sea and the Assembly of the International Seabed Authority. I would also like to take this opportunity to thank all those who have worked for the conferences, particularly the Chairmen of the conferences and the members of the Secretariat.

The United Nations Convention on the Law of the Sea and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea adopted on 10 December 1982 constitute the basic documents of the international community regarding marine rights and interests and the order governing the ocean space. These documents have established a legal order governing the ocean space which will contribute to the exploration of the sea for peaceful purposes and the equitable and efficient utilization of marine resources and facilitate the establishment of a just and equitable international economic order. China has actively participated not only in the drafting of the Convention but also in the setting up of all the relevant organs under the Convention after its entry into force, including the International Tribunal for the Law of the Sea, the

Commission on the Limits of the Continental Shelf and the International Seabed Authority.

For the law of the sea, this has been an extraordinary year that has witnessed a series of significant activities that laid a foundation for the orderly and healthy development of maritime affairs in this century, and the next as well. The Sixth Meeting of States Parties to the Convention, held last March, elected 21 inaugural members of the Commission on the Limits of the Continental Shelf. Mr. Wenzheng Lu of China was honoured to be among them. We are confident that they will make outstanding contributions to the delimitation of the outer limits of the continental shelf.

As a major outcome of the development of the law of the sea, the International Tribunal for the Law of the Sea, established in accordance with the provisions of annex VI of the Convention, is the first international judicial organ dedicated to the settlement of maritime disputes. Last year the membership of the Tribunal was elected. This year elections were carried out for the Seabed Disputes Chamber, the Chamber for Fisheries Disputes and the Chamber for Marine Environment Disputes. The composition of the Tribunal represents all the major legal systems of the world and reflects equitable geographical distribution. We believe that the Tribunal will play an important role in the settlement of relevant maritime disputes.

The International Seabed Authority is an organ dedicated to the management of the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction — the Area — as well as its resources. The Area and its resources are the common heritage of mankind, the exploration and exploitation of which are entirely in the interest of mankind. The Chinese Government has been active in all aspects of the work of the Authority. As a member of group B of the Council of the Authority, China has also sent its experts to take part in the work of the Finance Committee of the Authority and the Legal and Technical Commission. During the second phase of the third session of the International Seabed Authority, held last August, the Council of the Authority approved the exploration plans submitted by the pioneer investors, which represents a milestone in the history of the Authority and shows that the work of the Authority has evolved from the procedural and organizational phase to the substantive phase of operation management. With the approval of its exploration plan, China has become one of the first contractors of the Authority. China will continue faithfully to fulfil its obligations as a pioneer investor and make important contributions to the exploration and exploitation of the international seabed Area. Meanwhile, China will, as always, continue its participation in all aspects of the work of the International Seabed Authority and engage in relevant international cooperation so as to facilitate the exploration and exploitation of international seabed resources.

In an effort to safeguard the maritime rights and interests of coastal States, as provided for in the Convention, China has continuously improved its domestic legislation on the ocean space. After the promulgation of the Act of the People's Republic of China on the Territorial Sea and Areas Adjacent to It, the Chinese Government declared, in May 1996, the delimitation of certain portions of the baselines of the territorial sea of the main continent and the baseline of the Xisha Islands. To give effect to its sovereign right and jurisdiction over its exclusive economic zone and continental shelf, China is actively engaged in the formulation of an act of the People's Republic of China on the exclusive economic zone and continental shelf. With regard to the overlapping claims by neighbouring States with adjacent or opposite coasts over exclusive economic zones or continental shelves, the Chinese Government is in favour of seeking proper solutions through peaceful negotiations in accordance with well-established international law and the United Nations Convention on the Law of the Sea. At present, China has started consultations with the countries concerned on questions relating to the law of the sea as well as the delimitation of the sea area and fisheries, and positive results have been achieved. Through consultation and dialogue, the countries concerned have enhanced mutual understanding and trust. This has contributed to the development of relations between China and those countries.

The twenty-first century is one in which mankind will embrace the sea with all its potentials. With the development of science and technology, humanity will be faced with opportunities to obtain much more in terms of resources and energy from the sea, as well as tremendous challenges to protect the environment, achieve the sustainable development of the sea and maintain optimal harmony between humanity and nature. All countries should, in a spirit of mutual understanding and cooperation, strengthen their interaction so as to contribute to the well-being and progress of mankind as a whole.

Before concluding, I would like to take this opportunity to point out that there is a mistake contained in this year's report of the Secretary-General on the Law of the Sea of this year, document A/52/487, dated 20 October 1997. In paragraph 264 it mentions:

> "such agreements, including an agreement between China and Japan for joint exploration and development of an island group in the East China Sea".

This description is at variance with the facts. The truth of the matter is that there is no such agreement between China and Japan involving joint exploration and development of non-living resources of an island group in the East China Sea. The Chinese delegation requests that the phrase

> "an agreement between China and Japan for joint exploration and development of an island group in the East China Sea"

be deleted from paragraph 264 of the report, that the United Nations Secretariat issue a corrigendum to that effect and that this clarification be included in the *Official Records* of the fifty-second session of the General Assembly.

Mr. Sharma (India): My delegation welcomes the comprehensive and informative reports of the Secretary-General on matters relating to the law of the sea and ocean affairs. We are pleased to co-sponsor the omnibus draft resolution on the law of the sea, as well as the draft resolution on the Agreement concerning the Relationship between the United Nations and the International Seabed Authority and on the question of the Seabed Authority participating in the United Nations Joint Staff Pension Fund. The last matter is of course still subject to the consideration of the Fifth Committee.

India is naturally interested in maritime matters and ocean affairs, given our geography, with its 4,000-mile coastline and 1,300 islands. India has had a great maritime tradition as a civilization. Our ancient and medieval history records extensive trade between India and Arab countries on the one hand, and the States of South-East Asia on the other, as well as with Africa. Large populations on our coasts and on the islands of Andaman, Nicobar and Lakshadweep have always depended on the sea for sustenance. Both before and after its independence, India has taken active part in the development and codification of the law of the sea, and participated in the First United Nations Conference on the Law of the Sea, in Geneva, and in the Third Conference. We have invested heavily in the exploration of minerals in the deep seabed and in the exploitation of petroleum resources and hydrocarbons in our territorial waters and exclusive economic zone.

We welcome the entry into force of the United Nations Convention on the Law of the Sea, as well as the Agreement relating to the Implementation of part XI thereof, as contributing to the peaceful order of oceans. Those States that have not yet become parties to the Convention will, we hope, soon be able to do so to make this legal regime really universal. It is a matter of great satisfaction that all the institutions envisaged under the Convention — namely, the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf — have all been established. The task now is to see that they discharge their assigned functions effectively and efficiently.

Turning now to the work of the International Seabed Authority, I would like first to congratulate its Secretary-General, Ambassador Satya Nandan, for his leadership of the organization. Our appreciation also goes to the first President of the Council of the Authority, Ambassador Lennox Ballah of Trinidad and Tobago, for the wisdom with which he has led the complex deliberations of the Council in the last two years. This year the Authority took the historic decision of granting its approval to the plans of work for exploration of mine sites submitted by the registered pioneer investors. As a registered pioneer investor, India was granted approval for the plan of work for exploration of the mine site in the Indian Ocean which it registered with the United Nations. This should now lead to the granting of contracts by the Secretary-General of the Authority for exploration of the mine sites by the investors. India has fulfilled its obligations under the Convention, the Agreement relating to the Implementation of Part XI and resolution II of the Third United Nations Conference on the Law of the Sea and is thus eligible to obtain a contract for exploration of its mine site.

The other important aspect relates to the elaboration of a draft Mining Code by the Authority. During its last meeting, the Legal and Technical Commission of the Authority prepared a full text of the Mining Code and submitted it to the Council in August 1997. Member Governments may provide written comments on the provisional text of the Mining Code by 31 December 1997, so that the Commission can take those comments

into consideration in finalizing the Mining Code at the next meeting, thus readying it for adoption by the Council and the Authority. The issue of contracts for exploration and the adoption of the Mining Code together constitute the most important substantive basis for the functions of the International Seabed Authority to be carried out.

Further, on the institutional front, the Seabed Authority, on the basis of the work of its Finance Committee, agreed on the United Nations scale of assessments and prepared its first regular budget in the modest sum of $4.7 million, and established a Working Capital Fund of $196,000 in 1998 and a similar amount in 1999. The last date for making these payments is 30 days from the time the Authority sends the notice or 1 January 1998, whichever is later. Given the fact that this is the start-up period for the Authority, we only hope that the assessed contributions will be paid on time and in full, without any conditionalities, by all members.

My delegation welcomes the observer status of the International Seabed Authority in the United Nations, and the signing of the Agreement concerning the Relationship between the United Nations and the International Seabed Authority by the two Secretaries-General. Finally, my delegation assures the Secretary-General of the Authority and its host State, Jamaica, a country with which we have very close ties, of our full cooperation.

Turning now to the International Tribunal for the Law of the Sea, we are glad to note that under the leadership of the President of the Tribunal, Judge Thomas Mensa of Ghana, the Tribunal has finalized its rules of procedure and is even now seized of a case. The last Meeting of States Parties, held in New York, approved the budget of the Tribunal as well as the draft Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea. With the completion of the Headquarters Agreement between the Tribunal and the Host Country (Germany), the Tribunal is now adequately equipped to attend to its functions.

In its first two meetings, the Commission on the Limits of the Continental Shelf has been working, among other things, on its rules of procedure. We are sure the Commission, being a technical body, will devise rules of procedure that will not involve the Commission in matters disputed between States, for it is well known that the Convention provides separately for dispute settlement mechanisms, and the Commission is not one of them.

Turning to fisheries issues, we consider the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks a landmark in the implementation of the Convention on the Law of the Sea. In our view, the implementation of the Agreement should guarantee the enforcement of the rights of the coastal States while taking into account the interests of distant-waters fishing nations. The developing countries should be supported technically and financially for the development of their fisheries, as envisaged in articles 24 and 25 of the Agreement. India is committed, along with the other Indian Ocean coastal States, to conserving, managing and protecting Indian Ocean tuna from indiscriminate fishing and consequential depletion or eventual extinction of stocks. The Indian Ocean Tuna Commission, to which India is a party, is starting its functions only now. It is our view that artisanal and small-scale fisheries should be protected in view of their social, economic and cultural importance, and also because this is essentially subsistence fishery that is not commercial in nature.

I would also like to take this opportunity to welcome the Independent World Commission on the Oceans, which was founded on the initiative of Mr. Mário Soares, the former President of Portugal. We look forward to the Commission's recommendations, which we believe should only add to and support the legal regime envisaged in the United Nations Convention on the Law of the Sea, without in any manner attempting to reopen the regime. India will also participate in the Ocean Expo in Lisbon in 1998. We support the proclamation of 1998 as the International Year of the Ocean.

Finally, the very preamble of the 1982 Convention on the Law of the Sea recognized that all problems of ocean States are closely interrelated, and article 319 specifically maintained that the Secretary-General should monitor and review the issues of the law of the sea and ocean affairs and report on them to the General Assembly. The central role of the United Nations should continue, as reaffirmed in resolution 49/28, in active engagement with the functional organizations under the Convention. A healthy relationship between the United Nations and the specialized law of the sea institutions established under the 1982 Convention on the Law of the Sea should be nurtured from now onward to ensure peaceful and orderly management of the oceans and maritime resources, for the benefit of mankind as a whole.

Mr. Yacoubou (Benin) (*interpretation from French*): In participating in the debate on this agenda item, "Oceans and the law of the sea", my delegation would like to reaffirm that it attaches great importance to this issue. Indeed, the seas and oceans are an essential part of our geophysical environment and of the framework of our economic and social life.

Three years ago the United Nations Convention on the Law of the Sea entered into force. More than 120 States have already ratified, accepted or acceded to it. This shows the relevance of its provisions, the ever-increasing awareness by States of the daily threats to the marine and coastal environment and the need to ensure balanced and effective conservation of its biological and other resources.

By adopting the United Nations Convention on the Law of the Sea on 10 December 1992 at Montego Bay, Jamaica, the Member States of the United Nations took a fundamental step for the benefit of peace and development. The provisions of the Convention deal with the essential aspects of maritime activities concerning coastal or landlocked States. Similarly, they define the rights and obligations of the States parties in this matter.

The Convention is unquestionably an essential contribution to the codification and management of the problems of the marine and coastal environment. The new international legal order it embodies will promote, with effective implementation, the fair and efficient management of the common heritage of mankind represented by the resources of the seabed. This new legal regime will also contribute to ensuring the promotion of peaceful uses of the seas and oceans.

There is a collective will to work to strengthen the legal basis of the treatment of the seas and oceans and to assure their sound and rational management, and Benin is part of it; on 16 October 1997 it ratified the United Nations Convention on the Law of the Sea, and it will continue its efforts to honour its commitment to comply with the provisions of the Convention.

I am pleased to recall that as part of its policy for the preservation and protection of nature — specifically the marine environment in this instance — Benin organized a national workshop on the management of the maritime ecosystems of the Gulf of Guinea, held in Cotonou at the beginning of July 1997. Co-sponsored by the World Bank, the United Nations Environment Programme, the United Nations Development Programme, through the Global Environment Facility, and the United Nations Industrial Development Organization, this workshop enabled officials of national services at various levels, those involved in the chain of activities in ports and on the seas, and representatives of coastal populations, non-governmental organizations and professional organizations, to study together the problems affecting the management of the major marine ecosystems of the Gulf of Guinea.

The Government of Benin would like, through me, to express its great gratitude to the institutions, funds and programmes which support its efforts to preserve and protect its marine environment, and we invite them to continue to do so.

The delegation of Benin studied with great interest the excellent comprehensive annual report presented by the Secretary-General on the law of the sea and the activities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs. We are pleased with the quality of this document and the information provided in other documents dealing with related questions.

The establishment of the main institutions provided for in the Convention and the various activities carried out by them and other competent United Nations bodies show that a good start has been made in implementing the Convention.

The signing on 14 March 1997 of the Agreement concerning the Relationship between the United Nations and the International Seabed Authority is a sign of the Authority's willingness to strengthen its cooperation with the United Nations and its Member States. My delegation therefore strongly recommends that the General Assembly approve the conclusion of this Agreement.

Mr. Ngo Quang Xuan (Viet Nam): I am happy to address the Assembly on this agenda item, "Oceans and the law of the sea", which for years has been of great interest and significance to Viet Nam.

I could not begin without expressing our appreciation to the Secretary-General for his comprehensive reports contained in documents A/52/487, A/52/491 and A/52/557. Our appreciation is also extended to the Secretariat — particularly the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs — as well as the secretariat of the International Seabed Authority for their contribution on the question of oceans and the law of the sea this year.

The year 1997 has witnessed significant and positive developments in ocean affairs and the law of the sea. The United Nations Convention on the Law of the Sea of 1982 has now been ratified by some 120 countries. This increasing number of ratifications indicates the fundamental importance of the Convention, particularly in the maintenance and strengthening of international peace and security, development and cooperation. Gradually, the Convention is becoming one of the most universal instruments in the world.

We are encouraged that the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea, adopted by the General Assembly in July 1994, has received broader support from the international community. We are also encouraged by the fact that a considerable number of States have lent their full support to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, adopted in August 1995. We believe that this Agreement must be interpreted and applied in the context of and in a manner consistent with the Convention.

As a coastal State with a broad continental shelf, Viet Nam attaches great importance to the establishment of the Commission on the Limits of the Continental Shelf. The international community successfully overcame differences and gave birth to this 21-member institution in March 1997. Since coming into being, the Commission has begun consideration of its rules of procedure, which will be decided by the Meetings of States Parties to the Convention. It is our view that with its mandate being closely linked to the sovereignty and jurisdiction of coastal States over their continental shelves, the functions and activities of the Commission and its members must be in accordance with relevant stipulations in the Convention. In the draft, those rules dealing with delimitation disputes between States, the issue of confidentiality and the liability of members of the Commission should be further studied and seriously considered.

In the meantime, our delegation also notes with satisfaction that the other bodies established under the provisions of the Convention have begun their activities and made considerable achievements. We highly appreciate the results obtained at the Meetings of States Parties to the Convention, above all the adoption of the 1998 budget for the International Tribunal on the Law of the Sea and the Agreement on Privileges and Immunities of the International Tribunal on the Law of the Sea. It is our view that the international community should find ways to heighten the role of these meetings, particularly in reviewing ocean affairs and law-of-the-sea issues.

The International Seabed Authority, moreover, has successfully fulfilled its tasks. We welcome the approval of the work plans for exploration by seven registered pioneer investors; the considerable results made in the elaboration of the Mining Code and, particularly, the signing and provisional application of the Agreement concerning the Relationship between the United Nations and the International Seabed Authority. Viet Nam has made considerable efforts to participate more actively in the work of the Authority, as well as in the exploration of the deep seabed.

We strongly support the achievements realized so far in the elaboration of legal texts, as well as the organizational work done by the international community, the German Government and the International Tribunal on the Law of the Sea itself to enable it to operate normally and effectively.

It is necessary to stress that those achievements were possible thanks to the efforts by the States parties to the Convention through their pursuit of a constructive approach and their responsible commitment to implementing the Convention to make it universal and effective. In this process, Viet Nam has been making its active contribution.

We consider it important that the international community continue to make more efforts and take concrete steps to support those newly established institutions.

The serious implementation of the United Nations Convention on the Law of the Sea, moreover, requires the strict observance by States of the spirit as well as the letter of its provisions and articles. The Convention makes it obligatory for States, among other things, to respect the sovereignty of coastal States and their sovereign rights and jurisdiction over their continental shelves and exclusive economic zones, as provided for in the relevant articles of the Convention. States are required in their actions at both the global and the regional levels to abide strictly by the provisions of the Convention.

The United Nations Convention on the Law of the Sea and other relevant instruments have enjoyed the

strong and effective support of the Government of Viet Nam. In our view, the Convention is a framework for national, regional and global activities in the maritime sector. We always welcome and actively participate in those initiatives and efforts to implement the Convention and other relevant texts. Accordingly, we note with great interest that the past year has been marked by an intensified call from the international community for a coordinated and integrated approach to ocean affairs and law of the sea issues.

In its region, Viet Nam has been making tremendous efforts to promote dialogue and cooperative and friendly relations with other countries. In the field of ocean affairs, for example, Viet Nam signed with Thailand on 9 August 1997 an agreement on the delimitation of maritime boundaries between the two countries and, with the Philippines, an agreement on the second cruise for joint scientific research in the Eastern Sea. At the same time, Viet Nam has actively participated in other international and regional initiatives and arrangements on this subject. We are confident that the aforementioned activities and arrangements have effectively contributed to promoting peace, security and stability in the region.

On the question of the Eastern Sea, also known as the South China Sea, Viet Nam wishes to reconfirm its consistent position. With regard to the territorial claims over the Paracel and Spratly Islands, Viet Nam has enough historical and legal evidence to assert its national sovereignty over them. That sovereignty is indisputable.

Regarding existing disputes, it is our view that they should be settled through peaceful negotiations in a spirit of equality, mutual understanding and respect for each other's sovereignty and jurisdiction over respective continental shelves and exclusive economic zones, in accordance with international law, particularly the United Nations Convention on the Law of the Sea. Moreover, the parties concerned should, while making active efforts to promote negotiations for a fundamental and long-term solution, maintain stability based on the status quo and refrain from any act that may further complicate the situation and from the use or threat of force. This is in conformity with the principles and norms of contemporary international law and the aspirations of the peoples, and it serves peace and stability in the region.

We are confident that the Secretary-General will ensure the continuing institutional capacity of the Organization to respond adequately to the needs of States, newly established institutions and other competent international organizations by providing advice and assistance, taking into account the special needs of developing countries. Reports on developments and issues relating to ocean affairs and the law of the sea should continue to be made to the General Assembly at its fifty-third session.

I would like to conclude by recommending that an item entitled "Oceans and the law of the sea" be included in the agenda of the fifty-third session of the General Assembly.

Mr. Park (Republic of Korea): Let me begin by welcoming the annual report of the Secretary-General on the oceans and the law of the sea, as contained in document A/52/487, and by commending the Secretariat for its excellent work. This well-organized and comprehensive report will facilitate the wide dissemination to Member States of information on the recent developments relating to the oceans and the law of the sea and will greatly contribute to enhancing the peaceful uses and stable order of the public ocean. We believe that the United Nations, as a global institution, should continue to play a central role in facilitating the effective implementation of the 1982 United Nations Convention on the Law of the Sea and in bolstering international cooperation in the field of the law of the sea.

We also note with appreciation the Secretary-General's report on the impact of the entry into force of the 1982 United Nations Convention on the Law of the Sea on related existing and proposed instruments and programmes. The report demonstrates how broad and profound an impact the Convention has upon various related areas. My delegation hopes that the necessary measures mentioned in the report will be taken by relevant regional and global organizations in an appropriate manner, as they will further consolidate the orderly implementation of the new legal regime of the oceans.

As a maritime country, Korea attaches great importance to the maintenance of a peaceful and stable maritime order. Because of its enormous potential as the planet's last frontier for mankind, the sea offers us immense opportunities as well as challenges. Whether the sea's bounty brings us prosperity or triggers conflict largely depends on how the international community maintains the public order of the ocean. Hence, it is crucial for all of us to seek the universality of the Convention and its full implementation. While we are

pleased to note that, since November 1996, 14 States have additionally acceded to the Convention, raising the total number of States parties to 122, this figure still falls short of meeting the test of universality. We therefore urge States which have not yet done so to accede to the Convention as soon as possible.

This year marks the first year that various institutions established under the Convention have been brought into full-fledged operation. At its resumed third session last August, the International Seabed Authority approved plans of work for exploration activities of registered pioneer investors. As one of the seven pioneer investors, Korea will faithfully carry out exploration activities pursuant to the Convention and the Implementing Agreement. We also welcome the progress the Legal and Technical Commission has achieved in the preparation of the deep seabed mining code that will govern prospecting and exploration in the seabed and the ocean floor beyond the limits of national jurisdiction. My delegation looks forward to a reliable and predictable operational regime on deep seabed mining being worked out soon.

The International Tribunal for the Law of the Sea has also made great strides towards laying the groundwork for judicial functioning since its inauguration last year. The Tribunal adopted three significant instruments governing its internal procedures: the Rules of the Tribunal, the resolution on the Internal Judicial Practice, and Guidelines for the Preparation and Presentation of Cases Before the Tribunal. In this regard, we are pleased to note that the Tribunal is already in operation to consider its first case this month. It is our sincere hope that the Tribunal will continue to solidify its role as a principal judicial organ in the area of the law of the sea.

Instituted this year, the Commission on the Limits of the Continental Shelf has concluded deliberations on its Rules of Procedure. In our view, two annexes regarding a submission involving delimitation disputes and the issue of confidentiality are very important to the effective functioning of the Commission. My delegation is prepared to participate actively in the discussion of these annexes during the next Meeting of States Parties. In connection with the request by the Commission for the Meeting of States Parties to clarify whether the mandate of the Commission should extend to non-parties, however, we believe careful consideration is needed with regard to identifying the most appropriate forum in which the issue could be best addressed.

As a responsible fishing State, Korea is firmly committed to the sustainable development and use of the resources of the world ocean. In line with this policy, the Republic of Korea signed last year the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. My Government is currently taking the necessary domestic steps to ratify this Agreement.

Pending the domestic procedures for ratification, however, Korea has already put in place various voluntary measures to implement the Agreement. Korea has done its due part to live up to the letter and spirit of the Agreement through the voluntary submission of fishing statistics to relevant organizations, the scientific monitoring and study of marine resources, and the domestic adoption of fishing rules and regulations. Our active participation in regional and subregional fishery organizations in the northern and southern Pacific, as well as in the Atlantic and Indian Oceans, has also contributed to the implementation of the Agreement.

Furthermore, Korea has faithfully complied with the global moratorium on large-scale pelagic drift-net fishing. Since 1 January 1993, my Government has taken all necessary measures to suspend all drift-net fishing operations by Korean fishing vessels. In addition, such effective measures as the education of fishermen and the application of punitive action against violations have been taken to ensure that no Korean fishing vessels engage in fishing in areas under the jurisdiction of other States, unless duly authorized.

Surrounded by a semi-enclosed sea, the Republic of Korea strongly upholds the principle of cooperation among the relevant coastal States under the Convention. No living resource or marine environment respects artificial delimitations. The successful management of living resources or a marine environment in a semi-enclosed sea requires the establishment of a regime for the close cooperation of coastal States that takes into account the integrity of the sea. In a semi-enclosed sea, any unilateral measure or agreement in disregard of the interests of relevant parties would fail to achieve its intended goal. Furthermore, it is our strong view that coastal States in a semi-enclosed sea should not take any measures or reach any agreements which are likely to infringe upon the legitimate interests of other coastal States. Upon the request of any interested coastal States,

consultations should be considered compulsory in such situations.

Given the formidable implications of maritime disputes for international relations, the prevention and early settlement of such disputes is crucial for the maintenance of international peace and security. Close consultation and cooperation regionally or among the States concerned will contribute a great deal to the prevention of maritime disputes. Meanwhile, the Convention is considered epoch-making in establishing a third-party compulsory dispute-settlement mechanism. We believe that the wider use of this mechanism will help the international community to preserve the order of the ocean. It is also worth noting that States involved in a dispute should refrain from any activities likely to aggravate it pending final settlement.

Finally, I wish to reiterate Korea's firm commitment to the full implementation of the Convention and the amicable settlement of maritime disputes. The Republic of Korea has been, and continues to be, ready and willing to contribute to the orderly development of the ocean. We hope that mankind's continuing voyage into the still-unknown potential of the ocean will bring prosperity in the next millennium, just as the voyage of Columbus opened up the New World 500 years ago. It goes without saying that the spirit of cooperation is indispensable for the success of this uncharted voyage.

Mr. Panevkin (Russian Federation) (*interpretation from Russian*): The Russian delegation attaches great significance to the consideration of the agenda item entitled "Oceans and the law of the sea". The discussion of this question by the General Assembly demonstrates the importance the international community attaches to the problems related to the oceans and the law of the sea and permits an annual assessment of the development of cooperation among States in this sphere. It also allows us to identify problems requiring attention and to adopt appropriate measures. In this respect, we also express our gratitude to the Secretary-General of the United Nations for preparing the four reports, which are a good foundation for today's discussion.

This past year had substantial significance for the further development of cooperation between States in matters relating to oceans and the law of the sea. It was noteworthy for the further movement by the international community towards a coordinated and integrated approach to solving the problems I have mentioned. There has also been an increase in the number of parties to the 1982 Convention on the Law of the Sea and a number of other international instruments related to ocean affairs. The Russian Federation, in particular, ratified the 1982 Convention as well as the Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

We note with satisfaction that with the election in 1997 of the members of the Commission on the Limits of the Continental Shelf the establishment of the institutions provided for by the Convention has now been virtually completed. The International Tribunal for the Law of the Sea took up its first case in November. Thus practically all the necessary requirements have been fulfilled for the effective implementation of the Convention, for its uniform and consistent application, and also for fuller cooperation by States in the area of the law of the sea.

The Russian delegation considers that the establishment of a single legal regime for the oceans genuinely promotes the maintenance of international peace and security and facilitates the development of international cooperation in the peaceful use of seas and oceans. For this reason, Russia has consistently advocated an enhanced role for the Convention on the Law of the Sea as an important universal international legal instrument in the domain of maritime activities and supports the appeals to States not yet parties to the Convention to accede to it as quickly as possible. This applies equally to the Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, which represents a code of generally accepted standards of behaviour by States and defines the parameters for bilateral relations and for regional cooperation in the area of fisheries.

At the same time, we wish to express our concern that some countries are trying to subordinate the interpretation and application of the Convention to the provisions of national law or to interpret some of its provisions unilaterally, including those related to the right of innocent passage through the territorial sea, transit passage through straits used for international navigation, archipelagic sea lanes passage and freedom of navigation and other internationally recognized uses of the seas, in the exclusive economic zone, as rightly pointed out in paragraph 15 of the Secretary-General's Report [A/52/487]. Nor can we agree with unilateral attempts to change or give individual interpretations to some of the provisions of other international legal documents on the law of the sea, notably the 1936 Montreux Convention regarding the Regime of the Straits. As we see it, such actions are permissible in terms of international law now

in force only with the manifestly expressed consent of all the other States parties to specific international agreements, including the agreement regarding the regime of the Black Sea straits.

The problems of oceans are tightly interlinked and should be considered as a single whole. Here the 1982 Convention has a strategic significance as a basis for national, regional and global actions in the maritime sector. Unfortunately, we are obliged to note that some international mechanisms on the law of the sea settle problems related to the law of the sea outside the system of the 1982 Convention — a practice that is prejudicial to a single legal regime for the oceans. We believe that this issue deserves close attention, and we support efforts to enhance coordination of the action of international mechanisms on the law of the sea under United Nations auspices.

Russia, as a major sea Power, attaches great importance to activities on the open ocean and intends to continue to participate actively in efforts to improve the peaceful and mutually profitable cooperation of States in mastering and exploiting the high seas and to further strengthen the international legal regime established by the Convention on the Law of the Sea.

Mr. Edwards (Marshall Islands): At the outset, my delegation wishes to associate itself with the statement made this morning by the representative of the Solomon Islands on behalf of the South Pacific Forum island countries.

The item under discussion is of great importance to all small island developing States, in particular to the Pacific island countries. This has been shown, in part, by our readiness to become co-sponsors of the draft resolutions which are before the General Assembly today.

The resources of the seas represent the most tangible assets for future development and prosperity that we have. The Republic of the Marshall Islands has, especially within the past year, taken a very proactive approach towards the sustainable development of our fisheries. At a time when reform policies for the public sector and the structural adjustment that they entail are taking effect in the Marshall Islands, our fisheries sector is also undergoing significant changes. While these changes have not been easy, the results will no doubt foster sustainable economic development, while conserving and managing our most precious renewable resource.

New fisheries policies and legislation have been introduced and accepted by our Parliament. They demonstrate our firm commitment to sound management and conservation of our fisheries. For example, the new Marshall Islands Fisheries Act incorporates approaches taken at the international level, particularly in regard to the United Nations Convention on the Law of the Sea and subsequently the Agreement relating to straddling fish stocks and highly migratory fish stocks. In addition, the Act has fully taken on board many of the provisions stipulated in the Convention on the Law of the Sea.

The Marshall Islands is an active participant in the ongoing, multilateral, high-level consultation process in the Pacific. We were concerned about the need to have working arrangements for the region while we were dealing with the practical considerations related to ratification of the Agreement. I might add that the recent legislation has taken us a good step forward. As can be noted from the Secretary-General's report, in May this year the Marshall Islands hosted the second Conference in these high-level consultations in our region. A full report [A/S-19/28] was presented at the nineteenth special session of the General Assembly in June this year, and the main findings have been underscored in the Secretary-General's report contained in document A/52/555. We feel that this is an initiative going beyond a simple commitment on our part; the process has initiated steps towards the establishment of a multilateral management arrangement for the Pacific region, which will include the high seas.

The Marshall Islands is also nearing completion of our in-zone Fisheries Management Plan. This Plan, combined with our recently completed Fisheries Act and the National Fisheries Development Plan, further demonstrates our commitment to meaningfully implement the provisions of the Law of the Sea, specifically articles 61 and 62, in this context. In addition, these arrangements will be fully compatible with the provisions of the Agreement as a whole, and will further assist us in the ratification process.

The Marshall Islands is an active member of our regional organization, the South Pacific Forum Fisheries Agency. At its regular meetings at the committee level the Marshall Islands will continue to emphasize the need for financial support from the international community, if we are to succeed in furthering the process that has been initiated in our region through multilateral high-level consultations.

I would like to take this opportunity to echo that sentiment here in the General Assembly. Sustainable development, conservation and management in the developing countries and in our regions requires a concerted effort by the international community. We are grateful for the support that has been given; the names of our benefactors are contained in the report to the special session that I referred to earlier. But it is clear to all of us that we have not yet completed the process. There is much work to be done. For example, the Secretary-General's report in document A/52/557 stresses that the level of illegal fishing activities in the Pacific would decrease with the implementation of a vessel monitoring system on distant-water nations' fishing vessels. This was discussed at length here in New York in the Agreement negotiations, and we have several indications to confirm this assertion. It is for this reason that our regional consultations have taken this point very seriously and included it as a major item to be concluded.

It is in this regard that my delegation wishes to stress the importance of financial and technical support from the international community. We strongly support the inclusion of this idea in the draft resolutions before us, and urge the General Assembly to accept these important recommendations. The role of the non-governmental organizations is also important, and they should continue to be invited to submit views on draft resolutions in the future.

I would like to conclude by stressing the provision of article 64 of the Law of the Sea Convention that cooperation between coastal States and States that fish in the region is compulsory. This cooperation includes ensuring that appropriate meetings, with full participation of all parties occurs in a timely manner, and that there is sufficient funding for such meetings. The Marshall Islands is fully in compliance with this cooperative spirit, and we would urge those with an interest in our fisheries to be equally forthcoming in their support.

Mr. Ayewah (Nigeria): The Nigerian delegation is pleased to participate in the debate on the agenda item "Oceans and the law of the sea". At the outset let me express appreciation to the representative of New Zealand for her introduction of the draft resolutions on the item and for the hard work she has put into their preparation.

Since the entry into force of the Convention on the Law of the Sea, considerable progress has been made towards its implementation, and the number of parties to the Convention has also grown. Structurally, all the institutions created under the Convention — the International Seabed Authority, the Tribunal for the Law of the Sea, and the Commission on the Limits of the Continental Shelf — have become functional.

We note in particular that the International Seabed Authority has progressed this year from an organizational phase to a functional one, with the approval of work plans for exploration of seven pioneer investors by its Council, which requested the Authority's Secretary-General to issue them with contracts effective for 15 years under the provisions of the Convention's relevant implementation Agreement. Work on the deep seabed mining code is also at an advanced stage, while the draft regulation on prospecting and exploration of polymetallic nodules in the "Area", which includes draft standard terms of the exploration contract, is under consideration by the Legal and Technical Commission.

Following the signing of an agreement with the United Nations, 1998 will mark the beginning of independent work by the Authority, when its budget will become the sole responsibility of its members. Consequently, the Assembly of the Authority adopted a scale of assessment of contributions of members and its budget, including a Working Capital Fund, during its resumed session in August this year. In this connection, it is the belief of my delegation that only the resolute discharge of obligations under the Convention through the timely payment of assessed contributions by member States would ensure an assured resource base for the Authority to continue to carry out its activities.

On the other hand, the International Tribunal established in 1996 has already held four sessions and approved its own budget. The last of the institutions, the Commission on the Limits of the Continental Shelf, has also adopted its modus operandi. In this connection, my delegation notes with interest the Commission's request for the establishment of a trust fund for travel expenses and accommodation for developing member States, and would urge States parties to approve it. We have noted also that, in line with the streamlining of the United Nations system, the Meeting of States parties has been reduced to one annual session. In our view, this is cost-effective and a judicious use of man-hours.

The strategic importance of the Convention as a framework for national legal and global action in the marine sector is underscored. However, only a faithful implementation of its provisions can yield the desired results. We agree with the necessity and importance of

promoting international cooperation on the law of the sea and ocean affairs at the global, regional and subregional levels.

In its resolution 49/28, the Assembly called for an annual review of developments relating to the law of the sea. That resolution conferred on the United Nations responsibility for, among other things, monitoring State practices and the provision of information, advice and assistance in the fields of interest and concern to States and international organizations. Consequently, cooperation on important new issues in the field of the law of the sea and ocean affairs would require the establishment of national integrated marine policies by Governments. In this connection, we appreciate the provision of assistance to developing countries as well as training under the Hamilton Shirley Amerasinghe Memorial Fellowship.

While 1998 has been designated the "Year of the Ocean", we hasten to add that this can be meaningful only if all Governments agree to ratify or accede to the Convention and its relevant instruments and endeavour to implement them as soon as possible.

An annual review of developments relating to the law of the sea has indicated, through a United Nations Environment Programme (UNEP) report, that there has been a deterioration of the global environment. More worrisome even is the report that a third of the world's coastal regions are at high risk of degradation, particularly from land-based activities such as rapid, unplanned urbanization, thus placing a major stress upon adjacent ecosystems. This must be prevented, as this unsustainable manner of economic development can in future lead to food insecurity and conflict situations. It will be recalled that Agenda 21, from the Rio Summit, had underscored that socio-economic development and environmental protection are interdependent and mutually reinforcing. The Convention on the Law of the Sea, in its turn, has developed a balance between the use of the oceans and its resources and the protection of the environment in a manner that will ensure the equitable and efficient use of resources. In addition, it has developed a number of international legal instruments which directly or indirectly contribute to the protection of the marine and coastal environment.

In resolution 51/36, the General Assembly took note of the report of the Secretary-General stating that large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and fisheries by-catch and discard are having negative impacts on the living marine resources of the world's oceans and seas and their sustainable use. We cannot but agree with his deep concern at the continuing reports of activities inconsistent with the terms of resolutions 46/215 and 49/116.

As a developing country and a developing coastal State, Nigeria is concerned that such detrimental practices still persist. Even reports of the progress made by members of the international community, international organizations and regional economic integration organizations towards the implementation of relevant resolutions, as indicated in the report of the Secretary-General, do not pacify us. Equally alarming are reports by the Food and Agriculture Organization of the United Nations (FAO) regarding over-fishing by large fleet shipping vessels. Unfortunately, developing countries lack the capacity to monitor or control these fishing activities or enforce the pertinent regulations.

We are happy to note the provision for development assistance to developing States by the General Assembly for this purpose. We must also underscore the need for those concerned to respect applicable international instruments, including, among others, the Convention on the Law of the Sea and the Agreement for the implementation of its provisions relating to the conservation and management of straddling fish stocks and highly migratory fish stocks. It is in this spirit that we also welcome the FAO's efforts and intent to organize in 1998 a Technical Consultation on Management of Fishing Capacity, which will draft guidelines for the control and management of fishing.

I cannot conclude this brief statement without drawing attention to the equally deplorable activities of some industrialized States, which dump toxic and hazardous wastes, especially in the waters of developing States, or carry out other forms of pollution through the deliberate discharge of pollutants such as oil and oily wastes, noxious liquids or solids, and sewage or garbage. In the interest of the marine environment and the preservation of the ecosystem, we call on such States to desist from those acts.

Mr. Gramajo (Argentina) (*interpretation from Spanish*): The Argentine Republic considers that the process begun in 1973 with the convening of the Third United Nations Conference on the Law of the Sea is now approaching fruition. This is because of the nearly universal application of the United Nations Convention on the Law of the Sea and because the network of institutions and organs provided for in the Convention

have now been established. The hopes expressed in 1973 at the outset of the Third United Nations Conference on the Law of the Sea are now being realized. The nearly universal acceptance of the Convention and the functioning of its institutions clearly prove that law is playing an increasingly important role in international affairs.

Given the length of its coastline and its southerly location, Argentina must inevitably give considerable attention to maritime affairs. With a coastline of 4,500 kilometres and with 1.3 million square kilometres of territorial seas, home to some of the world's most substantial marine living resources, Argentina is particularly active in this area. Here I would recall such factors as the major squid fisheries off the southern Buenos Aires region and Patagonia as an indication of how vital ocean affairs are for Argentina.

For Argentina, the importance of the sea and of the laws and institutions that govern it is heightened by the role of maritime routes in its international trade. For example, vital exports pass to other continents through ports of the Paraná and Plata rivers, notably Buenos Aires and La Plata. Our rivers and seas are not merely a source of resources, but are major trade routes for Argentina.

The importance of the sea for Argentina is heightened even further by another geographical reality: the Plata river and the other main navigable rivers in its basin. Through the Paraná-Paraguay canal, which flows into the Plata, the Plata basin extends into the Atlantic Ocean, which facilitates trade by the Southern Cone Common Market (MERCOSUR) with other continents. Argentina therefore has a keen interest in river matters — an interest it shares with Uruguay — as well as maritime interests geared towards trade and cooperation in the framework of a strict policy of environmental conservation and protection.

As a coastal State with particular interest in the development of the law of the sea and ocean affairs, Argentina stresses the importance of conserving the marine environment and of adopting the necessary measures to that end, in conformity with international law. Similarly, Argentina pursues a policy of conservation of living marine resources, and has adopted domestic laws to prevent overexploitation in maritime areas under its sovereignty or jurisdiction. Moreover, Argentina has signed the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and hopes soon to become a party to this. The purpose of that Agreement is precisely to avoid overexploitation.

I wish to conclude by noting that, in the light of what I have said, the sea is a most important political and economic element of the process of world-wide interdependence. The Argentine Republic therefore considers that the legal order regulating the sea has a fundamental role to play in the context of international law. For Argentina, these political and economic developments have given the law of the sea renewed and growing importance compared with the situation in 1973, when the Third United Nations Conference on the Law of the Sea was getting under way. As an Atlantic State with a special interest in maritime and ocean affairs, Argentina will continue to participate actively in the process of the codification and progressive development of the law of the sea and will contribute to its consolidation.

Mr. Benítez Sáenz (Uruguay) (*interpretation from Spanish*): The item entitled "Oceans and the law of the sea" has special meaning for my delegation, not only because our economy and our geographical location make it relevant to us, but also because we firmly believe that it is a sphere of activity in which international law and cooperation among States should continue to play a particularly important role.

Among the most notable activities of the United Nations was the initiative to convene the Third United Nations Conference on the Law of the Sea, which successfully culminated in the adoption of the United Nations Convention on the Law of the Sea — the Montego Bay Convention. The organs established under that Convention have begun functioning, and, following the 1996 election of its members, the International Tribunal for the Law of the Sea held its first sessions in 1997. Uruguay attaches particular importance to the establishment of the Tribunal, as it was among the States that when it signed the Convention opted to submit disputes relating to the interpretation or application of the Convention to the Tribunal's jurisdiction, as stipulated in article 287 of the Convention.

This year also saw the Commission on the Limits of the Continental Shelf begin its work. We welcome the election of its members and are certain that their technical skill and impartiality will ensure that States, such as my own, with continental shelves extending beyond 200 nautical miles will be able to delimit them

through the exercise of the rights set out in the Convention.

Probably the most important event of this period was the approval by the International Seabed Authority of the plans of work for exploration of seven registered pioneer investors. The long-held dream of exploration of the seabed as the common heritage of mankind is now beginning to come true. With the impetus and dynamism provided by the Secretary-General of the Authority, Ambassador Satya Nandan of Fiji, progress has begun on this and other tasks entrusted to the Authority. We hope that we shall now move on to concrete achievements in this area.

We share the view that the various issues relating to the maritime space are very closely interrelated and should be considered together, especially by the organs created under the Montego Bay Convention. For that reason, we reiterate our grave concern at the increasingly frequent transport of radioactive material and nuclear waste through areas of the high seas close to our exclusive economic zone. We cannot accept these lethal cargoes being carried so close to our coastline on the pretext of freedom of navigation.

The fishing resources that are under our jurisdiction and the marine currents that flow freely according to the laws of nature do not recognize limits and borders imposed by man and, in case of an accident, many of our States would be seriously harmed through such forms of transportation.

Uruguay believes it essential to proceed to regulate the maritime transport of nuclear material and radioactive waste, and we are prepared to contribute in all areas to ensure that this does not continue.

We are following closely the discussions taking place in the International Maritime Organization (IMO) and the International Atomic Energy Agency (IAEA), and it is our understanding that the obligation to safeguard the marine environment requires prior notification of coastal States that are situated along the route of radioactive cargo.

The draft objective of the Joint Oslo and Paris (OSPAR) Commission with regard to radioactive substances marks progress in this area, and we hope that it will be adopted in 1998 in Lisbon on the occasion of Ocean Expo 98.

As regards accidents involving the transport of nuclear material and other types of maritime accidents, there is need to develop new criteria and procedures for the payment of appropriate compensation. Article 235 of the Convention on the Law of the Sea provides for this form of international cooperation among States in order to determine the responsibilities and obligations related to the assessment of damage and compensation.

We believe that the progress made by the Ad Hoc Working Group of Legal and Technical Experts of the Conference of Parties of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal should be complemented by work in the context of the relevant provisions of the United Nations Convention on the Law of the Sea.

The Acting President: We have heard the last speaker in the debate on this item.

We shall now proceed to consider draft resolutions A/52/L.26, A/52/L.27, A/52/L.29 and A/52/L.30.

Before giving the floor to the next speaker in explanation of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

I now call on the representative of Turkey.

Mrs. Baykal (Turkey): Among the four draft resolutions before the General Assembly, Turkey will vote against the draft resolution entitled "Oceans and the law of the sea" contained in document A/52/L.26.

The reason for my delegation's negative vote is that some of the elements contained in the Convention on the Law of the Sea, which have prevented Turkey from approving the Convention, are still retained in this draft resolution.

Turkey supports all international efforts to establish a regime of the sea that is based on the principle of equity and that can be acceptable to all States. However, the Convention does not make adequate provisions for special geographical situations and, as a consequence, is not able to establish an acceptable balance between conflicting interests. Furthermore, the Convention makes no provision for registering reservations on specific clauses.

Although we agree with the Convention in its general intent, and with most of its provisions, we are unable to become a party to it owing to these serious

shortcomings. This being the case, we cannot support a draft resolution which provides that States should harmonize their national legislation with the provisions of the Convention on the Law of the Sea and should ensure the consistent application of those provisions.

The Acting President: We have heard the only speaker in explanation of vote before the voting.

The Assembly will now take a decision on draft resolutions A/52/L.26, A/52/L.27, A/52/L.29 and A/52/L.30 one by one.

We turn first to draft resolution A/52/L.26, entitled "Oceans and the law of the sea". I should like to announce that, since the introduction of this draft resolution, the following countries have become sponsors: Côte d'Ivoire, Nepal, Russian Federation and Singapore.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Turkey

Abstaining:

Ecuador, El Salvador, Peru, Venezuela

Draft resolution A/52/L.26 was adopted by 138 votes to 1, with 4 abstentions (resolution 52/26).

[Subsequently, the delegations of Eritrea and Ghana informed the Secretariat that they had intended to vote in favour.]

The Acting President: We turn next to draft resolution A/52/L.27, entitled "Agreement concerning the Relationship between the United Nations and the International Seabed Authority".

May I take it that the Assembly decides to adopt draft resolution A/52/L.27?

Draft resolution A/52/L.27 was adopted (resolution 52/27).

The Acting President: We now turn to draft resolution A/52/L.29, entitled "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks".

May I take it that the Assembly decides to adopt draft resolution A/52/L.29?

Draft resolution A/52/L.29 was adopted (resolution 52/28).

The Acting President: We now turn to draft resolution A/52/L.30, entitled "Large-scale pelagic drift-

net fishing: unauthorized fishing in zones of national jurisdiction and on the high seas; fisheries by-catch and discards; and other developments".

I should like to announce that since the introduction of the draft resolution, Singapore has become a sponsor of draft resolution A/52/L.30.

May I take it that the Assembly decides to adopt draft resolution A/52/L.30?

Draft resolution A/52/L.30 was adopted (resolution 52/29).

The Acting President: A number of representatives have asked to speak in exercise of the right of reply. May I remind members that statements in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second intervention, and should be made by delegations from their seats.

I call on the representative of China.

Mr. Gao Feng (China) (*interpretation from Chinese*): The Chinese delegation wishes to exercise its right of reply because this afternoon the representative of Viet Nam, in his statement before the General Assembly, referred to the Chinese territory of Xisha and Nansha Islands. The Chinese delegation is compelled to express its views on this issue.

First, Xisha and Nansha Islands have, since ancient times, been a part of Chinese territory. This is based on experience and on our practices in exploring that part of the South China Sea. It has also been made clear in numerous international instruments, and has been confirmed by international practices, including the confirmation of the Government of Viet Nam.

Secondly, the Chinese Government has always maintained that a peaceful resolution of the problem should be achieved through bilateral negotiations. As I mentioned during the general debate, the Chinese Government is in favour of resolving the dispute appropriately through negotiation in accordance with well-established international law, including the principles established in the United Nations Convention on the Law of the Sea. The Chinese Government is at present in the process of conducting consultations in this respect.

Thirdly, China is opposed to the internationalization of the question of the Nansha Islands. It also opposes intervention in the issue by nations outside the region. We believe that the parties to the dispute should abide by international law, the guidelines governing relations between States and the principles for the settlement of international disputes. The issue should not be made more complex.

The Acting President: I now call on the representative of Viet Nam.

Mr. Pham Truong Giang (Viet Nam): My delegation wishes to refer to the question of the Eastern Sea, also known as the South China Sea. My Ambassador, the Permanent Representative of Viet Nam, in his address to the General Assembly this afternoon, reaffirmed Viet Nam's consistent position regarding the Eastern Sea, and Viet Nam's sovereignty and jurisdiction over the Paracel and Spratly Islands. Viet Nam supports the 1992 declaration by the Association of South-East Asian Nations (ASEAN), containing principles for the settlement of disputes concerning the Eastern Sea, and we urge that these principles be upheld. Viet Nam's view is that the dispute must be settled through peaceful negotiation in the spirit of equality, mutual understanding and respect for each other's sovereignty and jurisdiction over their respective continental shelves and exclusive economic zones, in accordance with international law, particularly the United Nations Convention on the Law of the Sea. The parties concerned should, while making active efforts to promote negotiations for a fundamental and long-term solution, maintain stability on the basis of the status quo, and refrain from any act that may further complicate the situation and from the use or threat of force.

The Acting President: I now call on the representative of the Philippines.

Mr. Sorreta (Philippines): I wish to speak on the issue of conflicting claims in the South China Sea, which was raised both during the general debate and just now in statements made in right of reply. The Philippines is also a claimant, and still maintains its claims to areas of the South China Sea. Having said that, however, we believe in, and have been working towards, a just, peaceful and lasting solution to the conflicting claims. I might add that our desire to settle these disputes peacefully is driven not only by the fact that we fully realize that the peace and stability of our region has been the fundamental basis for our sustained growth, which is of record proportions, but because we are very much aware of the potential for conflict in the region. We are talking about potential

strategic resources and strategic sea lanes in a region of great diversity — a region of very diverse history, language, culture, religion and colonial experience, all of which, together, could be quite a heady mixture for conflict. Perhaps in any other region in the world it would have resulted in conflict.

There is no outward and manifest conflict over these claims. We are working. All the claimants, except one, are members of the Association of South-East Asian Nations (ASEAN) and the one that is not a member of ASEAN is a very close partner of ASEAN in regional dialogue. I believe that we will eventually not have to discuss matters like this in this forum, because we will eventually find a solution to these problems.

The Acting President: I now call on the representative of Malaysia.

Mr. Marzuki (Malaysia): My delegation wishes to refer to the issue of the South China Sea. I would like to place on record that Malaysia is also a claimant to parts of the Spratley Islands located within our continental shelf. In this respect, we are committed to resolving the question of overlapping claims through negotiation and peaceful means, as set out in the Manila Declaration on the South China Sea adopted by the Foreign Ministers of the Association of South-East Asian Nations (ASEAN) in Manila in June 1992.

The Acting President: We have concluded this stage of our consideration of agenda item 39.

The meeting rose at 5.30 p.m.